

STATE OF TEXAS  
COUNTY OF GILLESPIE  
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION  
FEBRUARY 5, 2020  
5:30 P.M.

On this the 5<sup>th</sup> day of February, 2020 the PLANNING AND ZONING COMMISSION convened in regular Session at the Law Enforcement Center with the following members present to constitute a quorum:

**PRESENT:** JANICE MENKING  
JIM JARREAU  
JILL TABOR  
POLLY RICKERT  
BRENDA SEGNER  
TIM DOOLEY  
STEVE THOMAS  
CHRIS KAISER

**ABSENT:** DARYL WHITWORTH

**ALSO PRESENT:** BRIAN JORDAN – Director of Development Services  
DANIEL JONES – City Attorney  
SHELBY COLLIER – Development Coordinator

Janice Menking called the meeting to order at 5:30 P.M.

#### MINUTES

Jim Jarreau moved to approve the minutes of the January 2020 meeting and Polly Rickert seconded the motion. All voted in favor and the motion carried.

#### PUBLIC HEARING

**Consider (Z-2001) Request a Change in the Land Use Plan from Low Density Residential to Commercial and to change the Zoning from R1, Single Family Residential to C1.5, Medium Commercial on approximately 10 acres located at 521 Friendship Lane.**

Motion made to open the public hearing by Jim Jarreau seconded by Brenda Segner . All voted in favor and the motion passed.

Andy Bray with Mustard Design presented the application. He provided photos depicting examples of climbing walls and explained that in order to have an indoor sports and recreation facility a Conditional Use Permit is required in the C1.5 Zoning. His applicants request is for 3 items. A Land Use change, Zoning change as well as the Conditional Use Permit.

Councilman, Tom Musselman, spoke regarding his opposition to the Zoning change from R1 to C1.5. He believes that changing the zoning would institute a Commercial Zoning creep onto Friendship Ln. He went on to reference many Residential projects and subdivisions that have recently been approved by the Planning and Zoning and City Council in this area.

Motion made to close the public hearing by Tim Dooley seconded by Chris Kaiser. All voted in favor and the motion carried.

## ACTION ITEM

Janice Menking called agenda Item number 6A.

Brian Jordan, Director of Development, provided Staff recommendation.

He stated In order to accommodate the use proposed by the applicant, it is necessary to have the appropriate land use designation and zoning before they can even apply for the Conditional Use Permit for their project. In reviewing the current Land Use Plan and Zoning for the subject property, it and the adjoining property remain the only low density residential land use and R-1 zoned properties fronting on the south side of Friendship Lane. So, the question is whether or not these two tracts should remain residential or be considered for other purposes. We have talked often about the future of the Friendship Lane Corridor and whether or not we should consider alternatives to the mostly mixed residential zoning. And, we have now adopted a new C-1.5 Medium Commercial and MU-2, Mixed Use - Infill Zoning Districts as possible options for consideration. In reviewing the intent of both of these districts, one could certainly argue that this particular property would fall within either of these categories. Given the circumstances outlined above, it is Staff's opinion that the proposed change is a reasonable consideration. While we should never change the land use or zoning based on a specific type of use or development, the intent of the C-1.5 zoning category seems to fit the location being considered.

With regard to the proposed CUP for an Indoor Sports and Recreation Facility and a Limited Restaurant, the layout of the site and the sensitivity to the surrounding property represents a compatible development solution. In considering the Limited Restaurant, the Zoning Ordinance defines this use as Restaurants which typically involve the custom preparation of food in limited quantities and of a personal nature. Restaurants within this category are characterized by limited traffic, noise and parking that is similar in nature to an office use of a similar size, limited hours of operation typically not later than 10:00 pm, no drive-thru, and lighting which is shielded from and directed away from adjacent neighborhoods and is dimmed to a minimal level after hours. Said restaurants may include live entertainment with amplified sound as long as such activity is wholly enclosed within the main building and incidental alcohol beverage service. Lighted signs shall be turned off after business hours. No outdoor cooking shall be permitted.

Approval of the Land Use Plan change from Low Density Residential to Commercial, the zoning from R-1 Single Family Residential to C-1.5 Medium Commercial and the Conditional Use Permit for an Indoor Sports and Recreation Facility and a Limited Restaurant is recommended. If a favorable recommendation is proposed by the Commission, we would also recommend consideration be given to calling a public hearing to consider changing the adjoining property to the east as well.

Polly Rickert questioned if the zoning request was approved what should be done with the additional R1 zoned property to the East. Brian stated it was his opinion that the zoning should also be changed, he would recommend C1.5 or C1.

Tim Dooley stated he was not comfortable "cracking the egg" on the commercial zoning on Friendship Ln at this time.

Tim Dooley made motion to deny as presented. Motion died for a lack of second.

Motion made by Jim Jarreau to approve application Z-2001 as presented with the recommendation that Staff pursue C1.5 Zoning on the adjacent tract to the East. Seconded by Polly Rickert. Tim Dooley voted in opposition all others voted in favor and the motion carried.

**PUBLIC HEARING**

**Consider (Z-2002) Request for a Conditional Use Permit to operate an Indoor Sports and Recreation Facility and Limited Use Restaurant on property located at 521 Friendship Ln.**

Motion made to open the public hearing by Jim Jarreau. Seconded by Brenda Segner. All voted in favor and the motion carried.

No additional comments were made.

Motion to close public hearing made by Tim Dooley. Seconded by Chris Kaiser. All voted in favor and the motion carried.

**ACTION ITEM**

Janice Menking called for Action Item number 6B.

No additional information was presented.

Tim Dooley asked if a 17,000 sq. ft building next to existing single story hotel would be appropriate. Andy Bray clarified that the hotel is 3 stories.

Jim Jarreau made a motion to recommend approval for application Z-2002 as presented by Staff. Seconded by Brenda Segner. Tim Dooley voted in opposition all others voted in favor and the motion passed.

**MISCELLANEOUS**

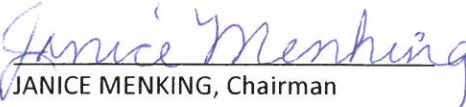
Brian Jordan stated Staff scheduled a joint meeting with City Council and Historic Review Board on February 11<sup>th</sup> from 2:00 to 5:00 and he provided the packets for that meeting.

**ADJOURN**

With nothing further to come before the Commission, Jim Jarreau moved to adjourn. Seconded by Polly Rickert. All voted in favor and the meeting was adjourned at 6:17 p.m.

**PASSED AND APPROVED this 4<sup>th</sup> day of March 2020.**

  
SHELBY COLLIER, Development Coordinator

  
JANICE MENKING, Chairman